



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JLP:ddj
Docket No: 7204-98
5 January 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 5 January 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMRP-2 of 8 December 1998, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1400/3

MMPR-2

8 Dec 98

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]

1. [REDACTED] requests his promotion to sergeant to be backdated to reflect 1 October 1997 vice 1 April 1998 and to receive backpay. He states that he submitted college transcripts and that they were not entered into the Marine Corps Total Force System (MCTFS) until December 1997 which he feels caused him to miss a timely promotion to sergeant.

2. The college courses that [REDACTED] is referring to were completed between 1992 to 1993 and were counted to allow him to enter into the Marine Corps at the rank of private first class. These courses cannot be counted as promotion to the next rank. In order for [REDACTED] to have received college credits towards his promotion to sergeant he would have to have completed the courses during his time as a corporal.

3. [REDACTED]'s date of rank is correct as 1 April 1998. Recommend his petition be denied. Recommend his petition be denied.


Richard B. Fitzwater

Assistant Head, Enlisted Promotions
Promotion Branch

By direction of
the Commandant of the Marine Corps